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1 name of the candidate or candidates ~~on~~ in whose behalf or in opposition to whom the
2 disbursement is made, indicating whether the purpose is support or opposition.

3 **SECTION 59.** 11.06 (1g) of the statutes is created to read:

4 **11.06 (1g) LIMITED POLITICAL ACTIVITY EXEMPT.** If a committee is not organized
5 exclusively for political purposes and the committee does not make any contributions
6 other than to independent disbursement committees and does not make any
7 disbursements or incur any obligations other than for the purpose of making
8 independent disbursements, the committee is not subject to a reporting requirement
9 under this section or s. 11.12 (5) or (6).

10 **SECTION 60.** 11.09 of the statutes is repealed.

11 **SECTION 61.** 11.12 (1) (d) of the statutes is amended to read:

12 11.12 (1) (d) Paragraph (a) does not apply to disbursements and obligations
13 which are exempted from reporting under s. 11.06 (1g) or (2).

14 **SECTION 62.** 11.12 (3) of the statutes is amended to read:

15 11.12 (3) All contributions, disbursements and incurred obligations exceeding
16 \$10 ~~\$25~~ shall be recorded by the campaign or committee treasurer or the individual
17 under s. 11.06 (7). He or she shall maintain such records in an organized and legible
18 manner, for not less than 3 years after the date of an election in which the registrant
19 participates. If a report is submitted under s. 11.19 (1), the records may be
20 transferred to a continuing committee or to the appropriate filing officer for
21 retention. Records shall include the information required under s. 11.06 (1).

22 **SECTION 63.** 11.12 (4) of the statutes is amended to read:

23 11.12 (4) Each registrant shall report contributions, disbursements and
24 incurred obligations in accordance with s. 11.20. Except as permitted under s. 11.06

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1 ~~(1g)~~, (2), (3) and (3m), each report shall contain the information which is required
2 under s. 11.06 (1).

3 **SECTION 64.** 11.16 (1) (d) of the statutes is amended to read:

4 11.16 (1) (d) This subsection does not apply to disbursements and obligations
5 which are exempted from reporting under s. 11.06 (1g) or (2).

6 **SECTION 65.** 11.25 (4) of the statutes is created to read:

7 11.25 (4) No independent disbursement committee that accepts any
8 contribution from an entity specified in s. 11.38 (1) (a) 1. may make any contribution
9 that the entity is prohibited from making under s. 11.38 (1) (a) 1.

10 **SECTION 66.** 11.29 (1) of the statutes is amended to read:

11 11.29 (1) ~~Nothing in this chapter restricts any~~ A corporation, cooperative,
12 unincorporated cooperative association, or voluntary association, other than a
13 political party or personal campaign committee ~~from making disbursements, may~~
14 make a disbursement for the purpose of communicating only with its members,
15 shareholders, or subscribers, to the exclusion of all other persons, with respect to
16 ~~endorsements of candidates, positions~~ the endorsement of a candidate, taking a
17 position on a referendum ~~or explanation of, explaining~~ its views or interests, ~~or~~
18 providing information about how to make a contribution to a candidate endorsed by
19 the corporation, cooperative, or association without reporting such activity. No such
20 corporation, cooperative, or association may solicit contributions from persons who
21 are not members, shareholders, or subscribers to be used for such ~~purposes~~ activity.

22 **SECTION 67.** 11.33 (2m) of the statutes is created to read:

23 11.33 (2m) This section does not apply to the cost of materials or distribution
24 of a communication made by a member of the legislature to an address located within
25 the legislative district represented by that member during the 45-day period

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following declaration of a state of emergency by the governor under s. 323.10 affecting any county in which the district is located if the communication relates solely to the subject of the emergency.

SECTION 68. ~~11.38 (title)~~ and (1) (a) 1. of the statutes are amended to read:

11.38 (title) Contributions and disbursements by corporations and cooperatives; registration and reporting by entities not organized exclusively for political purposes. (1) (a) 1. No foreign or domestic corporation, or association organized under ch. 185 or 193, may make any contribution or disbursement, directly or indirectly, ~~either independently or through any political party, committee, group, candidate or individual for any purpose other than to promote or defeat a referendum~~ except to an individual or group for the purpose of advocating the adoption or rejection of a referendum question or to an independent disbursement committee.

SECTION 69. 11.38 (1) (a) 4. to 8. of the statutes are created to read:

11.38 (1) (a) 4. If a corporation or association under subd. 1. or any other entity is not organized exclusively for political purposes and the corporation, association, or other entity makes one or more independent disbursements in a total amount or value exceeding \$750 in the aggregate during a calendar year, the corporation, association, or other entity shall file a registration statement as a political committee with the appropriate filing officer before making any independent disbursements exceeding that amount or value.

5. A registrant under subd. 4. shall file with its statement under subd. 4. an oath on a form prescribed by the board affirming its independence from any candidate or candidate's agent or authorized committee.

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1 6. A registrant under subd. 4. shall file its registration statement on a form
2 prescribed by the board, which shall include the name and mailing address of the
3 political committee, the identity of the custodian of records and the address where
4 records are kept, and the name and address of a financial institution at which the
5 committee has established an account and from which the committee makes the
6 independent disbursements.

7 7. A registrant under subd. 4. that makes one or more independent
8 disbursements shall file reports with the appropriate filing officer showing the
9 amount of each independent disbursement, the date on which it is made, and the
10 name of the candidate or candidates in whose behalf or in opposition to whom the
11 disbursement is made, indicating whether the purpose is support or opposition.
12 During the period specified in s. 11.12 (6), the registrant shall file the reports within
13 72 hours after the independent disbursement is made, or if the independent
14 disbursement is made for a communication to the general public, within 72 hours
15 after the communication is made. During the period specified in s. 11.12 (6), the
16 registrant shall file the reports within 24 hours after the disbursement is made, or
17 if the disbursement is made for a communication to the general public, within 72
18 hours after the communication is made. The reports shall include the identity of any
19 donor to the political committee who made a donation to the committee specifically
20 in support of the independent disbursement.

21 8. A political committee that makes one or more independent disbursements
22 under subd. 7. shall include in each communication financed by an independent
23 disbursement an oral or written attribution identifying the committee with the
24 words "Paid for by" followed by the name of the committee and the words "Not
25 authorized by any candidate or political party or either of their agents."

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1 **SECTION 70.** 11.38 (1) (b) of the statutes is amended to read:

2 11.38 (1) (b) No political party, committee, group, candidate or individual may
3 accept any contribution ~~or disbursement~~ made to or on behalf of such individual or
4 entity which is prohibited by this section.

5 **SECTION 71.** 11.38 (2) (c) of the statutes is repealed.

6 → INSERT 45-5

6 **SECTION 72.** 13.625 (1) (c) (intro.) of the statutes is amended to read:

7 13.625 (1) (c) (intro.) Except as permitted in this subsection, make a campaign
8 contribution, as defined in s. 11.01 (6), to a partisan elective state official for the
9 purpose of promoting the official's election to any national, state, or local office; or
10 to a candidate for a partisan elective state office to be filled at the general election
11 or a special election; or to the official's or candidate's personal campaign committee.
12 A lobbyist may make a campaign contribution to a partisan elective state official or
13 candidate for partisan elective state office or ~~his or her~~ to the personal campaign
14 committee ~~may be made~~ of the official or candidate in the year of ~~a~~ the official's or
15 candidate's election between ~~June 1~~ the first day authorized by law for the circulation
16 of nomination papers as a candidate and the day of the general election, except that:

17 **SECTION 73.** 17.02 (1) of the statutes is amended to read:

18 17.02 (1) **SENATORS AND MEMBERS OF CONGRESS.** Of the resignation of a United
19 States senator or member of congress from this state, by the senator or member of
20 congress to the secretary of state. Upon receipt of notice of the resignation, the
21 secretary of state shall give immediate notice to the governor of the resignation
22 including the effective date thereof.

23 **SECTION 74.** 17.18 of the statutes is amended to read:

24 17.18 **Vacancies, U.S. senator and representative in congress; how**
25 **filled.** Vacancies in the office of U.S. senator or representative in congress from this

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1 state shall be filled by election, as provided in s. 8.50 (4) (b), for the residue of the
2 unexpired term. In addition, an anticipated vacancy in the office of U.S. senator or
3 representative in congress may be filled as provided in s. 8.50 (4) (bm).

4 **SECTION 75.** 24.66 (3) (b) of the statutes is amended to read:

5 24.66 (3) (b) *For long-term loans by unified school districts.* Every application
6 for a loan, the required repayment of which exceeds 10 years, shall be approved and
7 authorized for a unified school district by a majority vote of the members of the school
8 board at a regular or special meeting of the school board. Every vote so required shall
9 be by ayes and noes duly recorded. In addition, the application shall be approved for
10 a unified school district by a majority vote of the electors of the school district at ~~a~~
11 ~~special~~ an election as provided under sub. (4).

12 **SECTION 76.** 24.66 (4) of the statutes is amended to read:

13 24.66 (4) POPULAR VOTE, WHEN REQUIRED. If any municipality is not empowered
14 by law to incur indebtedness for a particular purpose without first submitting the
15 question to its electors, the application for a state trust fund loan for that purpose
16 must be approved and authorized by a majority vote of the electors at ~~a special~~ an
17 ~~election called,~~ authorized under s. 8.065 (2) and noticed and held in the manner
18 provided for other ~~special elections~~ referendums. The question to be voted on shall
19 be filed as provided in s. 8.37. The notice of the ~~election~~ referendum shall state the
20 amount of the proposed loan and the purpose for which it will be used.

21 **SECTION 77.** 32.72 (1) of the statutes is amended to read:

22 32.72 (1) Sections 32.50 to 32.71 do not take effect in any city until the following
23 question is submitted to the electors of the city at ~~a special~~ an election, authorized
24 under s. 8.065 (2), and adopted by a majority vote of the electors voting: “Shall
25 subchapter II of chapter 32, Wisconsin Statutes, be effective in the city of,

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1 thus allowing the city to acquire and condemn property for street widening and
2 similar purposes, financed through assessments of benefits and damages?”. The
3 question shall be filed as provided in s. 8.37.

4 **SECTION 78.** 38.15 (1) of the statutes is amended to read:

5 38.15 (1) Subject to sub. (3), if the district board intends to make a capital
6 expenditure in excess of \$1,500,000, excluding moneys received from gifts, grants or
7 federal funds, for the acquisition of sites; the purchase or construction of buildings;
8 the lease/purchase of buildings if costs exceed \$1,500,000 for the lifetime of the lease;
9 building additions or enlargements; or the purchase of fixed equipment relating to
10 any such activity, it shall adopt a resolution stating its intention to do so and
11 identifying the anticipated source of revenue for each project and shall submit the
12 resolution to the electors of the district for approval. The referendum may be held
13 at an election authorized under s. 8.065 (2) and shall be noticed, called, and
14 conducted as provided in s. 67.05 (3) insofar as applicable. For the purposes of this
15 section, all projects located on a single campus site within one district which are bid
16 concurrently or which are approved by the board under s. 38.04 (10) within a 2-year
17 period shall be considered as one capital expenditure project.

18 **SECTION 79.** 38.16 (3) (br) 1. of the statutes is amended to read:

19 38.16 (3) (br) 1. If a district board wishes to exceed the limit under par. (b)
20 otherwise applicable to the district in 2011 or 2012, it shall adopt a resolution
21 supporting inclusion in the final district budget of an amount equal to the proposed
22 excess levy. The resolution shall be filed as provided in s. 8.37. Within 10 days after
23 adopting the resolution, the district board shall submit a copy of the resolution to the
24 board and shall notify the board of the scheduled date of the referendum and submit
25 a copy of the resolution to the board. The district board shall call a special

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1 ~~referendum to be called~~ for the purpose of submitting the resolution to the electors
2 of the district for approval or rejection. ~~In lieu of a special referendum, the district~~
3 ~~board may specify that the~~ The referendum shall be held at the next succeeding
4 ~~spring primary or election or partisan primary or general election, if such election~~
5 ~~is to be held~~ authorized under s. 8.065 (2) that occurs not sooner than 42 days after
6 the filing of the resolution of the district board. The district board shall certify the
7 results of the referendum to the board within 10 days after the referendum is held.

8 **SECTION 80.** 59.08 (7) (b) of the statutes is amended to read:

9 59.08 (7) (b) The question of the consolidation of the counties shall be submitted
10 to the voters at the next election ~~to be held on the first Tuesday in April, or the next~~
11 ~~regular election, or at a special election~~ authorized under s. 8.065 (2) to be held on
12 ~~the day fixed in a date specified in the order issued under par. (a), which day date~~
13 shall be no sooner than 70 days from the completion of the consolidation agreement
14 and which date shall be the same in each of the counties proposing to consolidate.
15 A copy of the order shall be filed with the county clerk of each of the counties as
16 provided in s. 8.37. ~~If the question of consolidation is submitted at a special election,~~
17 ~~it shall be held not less than 70 days nor more than 88 days from the completion of~~
18 ~~the consolidation agreement, but not within 60 days of any spring or general election.~~

19 **SECTION 81.** 59.605 (3) (a) 1. of the statutes is amended to read:

20 59.605 (3) (a) 1. If the governing body of a county wishes to exceed the operating
21 levy rate limit otherwise applicable to the county under this section, it shall adopt
22 a resolution to that effect. The resolution shall specify either the operating levy rate
23 or the operating levy that the governing body wishes to impose for either a specified
24 number of years or an indefinite period. The governing body shall ~~call a special~~
25 ~~referendum for the purpose of submitting the resolution to the electors of the county~~

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1 ~~for approval or rejection. In lieu of a special referendum, the governing body may~~
2 ~~specify that provide for the referendum to be held at the next succeeding spring~~
3 ~~primary or election or partisan primary or general election to be held~~ authorized
4 under s. 8.065 (2) that occurs not earlier than 70 days after the adoption of the
5 resolution of the governing body. The governing body shall file the resolution to be
6 submitted to the electors as provided in s. 8.37.

7 **SECTION 82.** 60.62 (2) of the statutes is amended to read:

8 60.62 (2) If the county in which the town is located has enacted a zoning
9 ordinance under s. 59.69, the exercise of the authority under sub. (1) is subject to
10 approval by the town meeting or by a referendum vote of the electors of the town to
11 be held at the time of any regular or special an election authorized under s. 8.065 (2).
12 The question for the referendum vote shall be filed as provided in s. 8.37.

13 **SECTION 83.** 60.74 (5) (b) of the statutes is amended to read:

14 60.74 (5) (b) A petition conforming to the requirements of s. 8.40, signed by
15 qualified electors of the district equal to at least ~~20%~~ 20 percent of the vote cast for
16 governor in the district at the last gubernatorial election, and requesting a change
17 to appointment of commissioners, may be submitted to the town board, subject to
18 sub. (5m) (a). The petition shall be filed as provided in s. 8.37. Upon receipt of the
19 petition, the town board shall submit the question to the electors at a referendum to
20 be held at the next regular spring election or general election, or shall call a special
21 an election for that purpose authorized under s. 8.065 (2). The inspectors shall count
22 the votes and submit a statement of the results to the commission. The commission
23 shall canvass the results of the election and certify the results to the town board
24 which has authority to appoint commissioners.

25 **SECTION 84.** 61.187 (1) of the statutes is amended to read:

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1 61.187 (1) PROCEDURE. Whenever a petition conforming to the requirements
2 of s. 8.40, signed by at least one-third as many electors of any village as voted for
3 village officers at the next preceding election for village officers in that village, shall
4 be presented to the village board, and filed as provided in s. 8.37, praying for
5 dissolution of the village, the village board shall submit to the electors of the village
6 the question whether or not the village shall be dissolved. The question shall be
7 determined by ballot, in substantially the manner provided by ss. 5.64 (2) and 10.02,
8 at ~~a general~~ an election ~~or at a special election called by the village board for that~~
9 ~~purpose~~ authorized under s. 8.065 (2).

10 **SECTION 85.** 61.46 (1) of the statutes is amended to read:

11 61.46 (1) GENERAL; LIMITATION. The village board shall, on or before December
12 15 in each year, by resolution to be entered of record, determine the amount of
13 corporation taxes to be levied and assessed on the taxable property in such village
14 for the current year. Before levying any tax for any specified purpose, exceeding one
15 percent of the assessed valuation aforesaid, the village board shall, and in all other
16 cases may in its discretion, submit the question of levying the same to the village
17 electors at ~~any general or special~~ an election authorized under s. 8.065 (2) by giving
18 10 days' notice thereof prior to such election by publication in a newspaper published
19 in the village, if any, and if there is none, then by posting notices in 3 public places
20 in said village, setting forth in such notices the object and purposes for which such
21 taxes are to be raised and the amount of the proposed tax. The village board shall
22 file the question as provided in s. 8.37.

23 **SECTION 86.** 62.09 (1) (a) of the statutes is amended to read:

24 62.09 (1) (a) The officers shall be a mayor, treasurer, clerk, comptroller,
25 attorney, engineer, one or more assessors unless the city is assessed by a county

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1 assessor under s. 70.99, one or more constables as determined by the common
2 council, a local health officer, as defined in s. 250.01 (5), or local board of health, as
3 defined in s. 250.01 (3), street commissioner, board of police and fire commissioners
4 except in cities where not applicable, chief of police except in a city where it is not
5 applicable, chief of the fire department except in a city where it is not applicable, chief
6 of a combined protective services department except in a city where it is not
7 applicable, board of public works, 2 alderpersons from each aldermanic district, and
8 such other officers or boards as are created by law or by the council. If one
9 alderperson from each aldermanic district is provided under s. 66.0211 (1), the
10 council may, by ordinance adopted by a two-thirds vote of all its members and
11 approved by the electors at ~~a general or special~~ an election authorized under s. 8.065
12 (2), provide that there shall be 2 alderpersons from each aldermanic district. If a city
13 creates a combined protective services department under s. 62.13 (2e) (a) 1., it shall
14 create the office of chief of such a department and shall abolish the offices of chief of
15 police and chief of the fire department.

16 **SECTION 87.** 62.13 (6) (b) of the statutes is amended to read:

17 62.13 (6) (b) The provisions of this subsection shall apply only if adopted by the
18 electors. Whenever not less than 70 days prior to ~~a regular city~~ an election specified
19 under s. 8.065 (2) a petition therefor, conforming to the requirements of s. 8.40 and
20 signed by electors equal in number to not less than ~~20%~~ 20 percent of the total vote
21 cast in the city for governor at the last general election, shall be filed with the clerk
22 as provided in s. 8.37, the clerk shall give notice in the manner of notice of the regular
23 city election of a referendum on the adoption of this subsection. Such referendum
24 election shall be held with ~~the regular city~~ an election, and authorized under s. 8.065

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1 (2), the ballots shall conform with the provisions of ss. 5.64 (2) and 10.02, and the
2 question shall be "Shall s. 62.13 (6) of the statutes be adopted?"

3 **SECTION 88.** 64.03 (1) of the statutes is amended to read:

4 64.03 (1) Every ordinance or resolution for the adoption of ss. 64.01 to 64.15,
5 and every petition for a ~~special~~ referendum election on the same, shall state the
6 number of members of which the council herein provided for shall be composed, the
7 term of office of its members, which term shall not exceed 2 years, whether they shall
8 be nominated and elected from aldermanic districts or from the city at large, and the
9 compensation, if any, which they shall receive.

10 **SECTION 89.** 64.39 (3) of the statutes is amended to read:

11 64.39 (3) Upon filing such petition, the mayor shall, by proclamation, submit
12 the questions prescribed in sub. (1) at ~~a special an~~ election to be held at a time
13 specified therein and within 2 months after such petition is filed authorized under
14 s. 8.065 (2). The election upon such question shall be conducted, the vote canvassed,
15 and the result declared in the same manner as provided by law for other city
16 elections.

17 **SECTION 90.** 66.0101 (8) of the statutes is amended to read:

18 66.0101 (8) A charter ordinance enacted or approved by a vote of the electors
19 controls over any prior or subsequent act of the legislative body of the city or village.
20 If the electors of any city or village by a majority vote have adopted or determined
21 to continue to operate under either ch. 62 or 64, or have determined the method of
22 selection of members of the governing board, the question shall not again be
23 submitted to the electors, nor action taken on the question, within a period of 2 years.
24 Any election to change or amend the charter of any city or village, other than ~~a~~

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1 ~~special an~~ election ~~as provided in~~ called under s. 9.20 (4), shall be held at the time
2 provided by statute for holding the spring election.

3 **SECTION 91.** 66.0211 (1) of the statutes is amended to read:

4 66.0211 (1) ORDER. The circuit court's order for an incorporation referendum
5 shall specify the voting place and the date of the referendum, which shall be ~~not less~~
6 ~~than 6 weeks from the date of the order~~ scheduled in accordance with s. 8.065 (2), and
7 name 3 inspectors of election. If the order is for a city incorporation referendum the
8 order shall further specify that 7 alderpersons shall be elected at large from the
9 proposed city. The city council at its first meeting shall determine the number and
10 boundaries of wards in compliance with s. 5.15 (1) and (2), and the combination of
11 wards into aldermanic districts. The number of alderpersons per aldermanic district
12 shall be determined by charter ordinance.

13 **SECTION 92.** 66.0213 (6) of the statutes is amended to read:

14 66.0213 (6) REORGANIZATION OF CITY AS VILLAGE. If the population of any city falls
15 below 1,000 as determined by the United States census, the council may upon filing
16 of a petition conforming to the requirements of s. 8.40 containing the signatures of
17 at least ~~15%~~ 15 percent of the electors submit at ~~any general or city~~ an election
18 authorized under s. 8.065 (2) the question whether the city shall reorganize as a
19 village. If three-fifths of the votes cast on the question are for reorganization the
20 mayor and council shall record the return in the office of the register of deeds, file a
21 certified copy with the clerk of the circuit court, and immediately call an election, to
22 be conducted as are village elections, for the election of village officers. Upon the
23 qualification of the officers, the board of trustees shall declare the city reorganized
24 as a village, and the reorganization is effective. The clerk shall certify a copy of the
25 declaration to the secretary of state who shall file the declaration and endorse a

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1 memorandum of the declaration on the record of the certificate of incorporation of the
2 city. Rights and liabilities of the city continue in favor of or against the village.
3 Ordinances, so far as within the power of the village, remain in force until changed.

4 **SECTION 93.** 66.0215 (2) of the statutes is amended to read:

5 66.0215 (2) REFERENDUM. At the next regular meeting of the town board
6 following the filing of the petition under sub. (1), the board by resolution shall provide
7 for a referendum by the electors of the town, which shall be scheduled in accordance
8 with s. 8.065 (2). The resolution shall conform to the requirements of s. 5.15 (1) and
9 (2) and shall determine the numbers and boundaries of each ward of the proposed
10 city and the time of voting, which may not be earlier than 6 weeks after the adoption
11 of the resolution. The resolution may direct that a census be taken of the resident
12 population of the territory on a day not more than 10 weeks previous to the date of
13 the election, exhibiting the name of every head of a family and the name of every
14 person who is a resident in good faith of the territory on that day, and the lot or
15 quarter section of land on which that person resides, which shall be verified by the
16 affixed affidavit of the person taking the census.

17 **SECTION 94.** 66.0217 (3) (b) of the statutes is amended to read:

18 66.0217 (3) (b) *Annexation by referendum.* A petition for a referendum on the
19 question of annexation may be filed with the city or village clerk signed by a number
20 of qualified electors residing in the territory equal to at least 20% 20 percent of the
21 votes cast for governor in the territory at the last gubernatorial election, and the
22 owners of at least 50% 50 percent of the real property either in area or assessed value.
23 The petition shall conform to the requirements of s. 8.40. The referendum shall be
24 scheduled in accordance with s. 8.065 (2).

25 **SECTION 95.** 66.0217 (7) (a) 3. of the statutes is amended to read:

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1 66.0217 (7) (a) 3. If the notice indicates that the petition is for a referendum
2 on the question of annexation, the clerk of the city or village shall file the notice as
3 provided in s. 8.37. If the notice indicates that the petition is for a referendum on the
4 question of annexation, the town clerk shall give notice as provided in par. (c) of a
5 referendum of the electors residing in the area proposed for annexation to be held at
6 the next election authorized under s. 8.065 (2) that occurs not less than 70 days ~~nor~~
7 ~~more than 100 days~~ after the date of personal service or mailing of the notice required
8 under this paragraph. If the notice indicates that the petition is for direct
9 annexation, no referendum shall be held unless within 30 days after the date of
10 personal service or mailing of the notice required under this paragraph, a petition
11 conforming to the requirements of s. 8.40 requesting a referendum is filed with the
12 town clerk as provided in s. 8.37, signed by at least ~~20%~~ 20 percent of the electors
13 residing in the area proposed to be annexed. If a petition requesting a referendum
14 is filed, the clerk shall give notice as provided in par. (c) of a referendum of the electors
15 residing in the area proposed for annexation to be held at the next election authorized
16 under s. 8.065 (2) that occurs not less than 70 days ~~nor more than 100 days~~ after the
17 receipt of the petition, and shall mail a copy of the notice to the clerk of the city or
18 village to which the annexation is proposed. The referendum shall be held at a
19 convenient place within the town to be specified in the notice.

20 **SECTION 96.** 66.0217 (7) (d) of the statutes is amended to read:

21 66.0217 (7) (d) *How conducted.* The referendum shall be conducted by the town
22 election officials ~~but the town board may reduce the number of election officials for~~
23 ~~that election.~~ The ballots shall contain the words “For annexation” and “Against
24 annexation” and shall otherwise conform to the provisions of s. 5.64 (2). The election

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1 shall be conducted as are other town elections in accordance with chs. 6 and 7 to the
2 extent applicable.

3 **SECTION 97.** 66.0219 (4) (b) of the statutes is amended to read:

4 66.0219 (4) (b) The referendum election shall be held at the next election
5 authorized under s. 8.065 (2) that occurs not less than 70 days ~~nor more than 100~~
6 days after the filing of the order as provided in s. 8.37, in the territory proposed for
7 annexation, by the electors of that territory as provided in s. 66.0217 (7), so far as
8 applicable. The ballots shall contain the words “For Annexation” and “Against
9 Annexation”. The certification of the election inspectors shall be filed with the clerk
10 of the court, and the clerk of any municipality involved, but need not be filed or
11 recorded with the register of deeds.

12 **SECTION 98.** 66.0225 (2) of the statutes is amended to read:

13 66.0225 (2) CONTESTED ANNEXATIONS. Any 2 municipalities whose boundaries
14 are immediately adjacent at any point and who are parties to an action, proceeding,
15 or appeal in court for the purpose of testing the validity of an annexation may enter
16 into a written stipulation, compromising and settling the litigation and determining
17 the portion of the common boundary line between the municipalities that is the
18 subject of the annexation. The court having jurisdiction of the litigation, whether the
19 circuit court, the court of appeals, or the supreme court, may enter a final judgment
20 incorporating the provisions of the stipulation and fixing the common boundary line
21 between the municipalities involved. A stipulation changing boundaries of
22 municipalities shall be approved by the governing body of each municipality and s.
23 66.0217 (9) and (11) shall apply. A change of municipal boundaries under this section
24 is subject to a referendum of the electors residing within the territory whose
25 jurisdiction is subject to change under the stipulation, if within 30 days after the

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1 publication of the stipulation to change boundaries in a newspaper of general
2 circulation in that territory, a petition for a referendum conforming to the
3 requirements of s. 8.40 signed by at least 20% 20 percent of the electors residing
4 within that territory is filed with the clerk of the municipality from which the greater
5 area is proposed to be removed and is filed as provided in s. 8.37. The referendum
6 shall be held at an election authorized under s. 8.065 (2) and conducted as are
7 annexation referenda. If the referendum election fails, all proceedings under this
8 section are void.

9 **SECTION 99.** 66.0227 (3) of the statutes is amended to read:

10 66.0227 (3) The governing body of a city, village, or town involved may, ~~or if~~
11 submit the question to the electors of the city, village, or town whose electors
12 petitioned for detachment at a referendum election called for that purpose. If a
13 petition conforming to the requirements of s. 8.40, signed by a number of qualified
14 electors equal to at least 5% 5 percent of the votes cast for governor in the city, village,
15 or town at the last gubernatorial election, and demanding a referendum, is presented
16 to it the governing body of a city, village, or town involved within 30 days after the
17 passage of either of the ordinances under sub. (2), the governing body shall, submit
18 the question to the electors of the city, village, or town whose electors petitioned for
19 detachment, at a referendum election called for that purpose. A referendum called
20 under this subsection shall be held at the next election authorized under s. 8.065 (2)
21 that occurs not less than 70 days ~~nor more than 100 days~~ after the filing of the
22 petition, or ~~after~~ the enactment of either ordinance. The petition shall be filed as
23 provided in s. 8.37. If a number of electors cannot be determined on the basis of
24 reported election statistics, the number shall be determined in accordance with s.
25 60.74 (6). The governing body of the municipality shall appoint 3 election inspectors

BILL**SECTION 99**

1 who are resident electors to supervise the referendum. The ballots shall contain the
2 words "For Detachment" and "Against Detachment". The inspectors shall certify the
3 results of the election by their attached affidavits and file a copy with the clerk of each
4 town, village, or city involved, and none of the ordinances may take effect nor be in
5 force unless a majority of the electors approve the question. The referendum election
6 shall be conducted in accordance with chs. 6 and 7 to the extent applicable.

7 **SECTION 100.** 66.0305 (6) (b) of the statutes is amended to read:

8 66.0305 (6) (b) The advisory referendum shall be held at the next election
9 authorized under s. 8.065 (2) that occurs not less than 70 days ~~nor more than 100~~
10 ~~days~~ after adoption of the resolution under par. (a) calling for the referendum or not
11 less than 70 days ~~nor more than 100 days~~ after receipt of the petition under par. (a)
12 by the municipal or county clerk. The municipal or county clerk shall give notice of
13 the referendum by publishing a notice in a newspaper of general circulation in the
14 political subdivision, both on the publication day next preceding the advisory
15 referendum election and one week prior to that publication date.

16 **SECTION 101.** 66.0307 (4) (e) 2. of the statutes is amended to read:

17 66.0307 (4) (e) 2. The advisory referendum shall be held at the next election
18 authorized under s. 8.065 (2) that occurs not less than 70 days ~~nor more than 100~~
19 ~~days~~ after adoption of the resolution under subd. 1. calling for the referendum or not
20 less than 70 days ~~nor more than 100 days~~ after receipt of the petition by the
21 municipal clerk. The municipal clerk shall give notice of the referendum by
22 publishing a notice in a newspaper of general circulation in the municipality, both
23 on the publication day next preceding the advisory referendum election and one
24 week prior to that publication date.

25 **SECTION 102.** 66.0602 (4) (a) of the statutes is amended to read:

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1 66.0602 (4) (a) A political subdivision may exceed the levy increase limit under
2 sub. (2) if its governing body adopts a resolution to that effect and if the resolution
3 is ~~approved in~~ submitted to the electors of the political subdivision for approval or
4 rejection at a referendum. The resolution shall specify the proposed amount of
5 increase in the levy beyond the amount that is allowed under sub. (2), and shall
6 specify whether the proposed amount of increase is for the next fiscal year only or if
7 it will apply on an ongoing basis. ~~With regard to a referendum relating to the 2005~~
8 ~~levy, or any levy in an odd-numbered year thereafter, the political subdivision may~~
9 ~~call a special referendum for the purpose of submitting the resolution to the electors~~
10 ~~of the political subdivision for approval or rejection. With regard to a referendum~~
11 ~~relating to the 2006 levy, or any levy in an even-numbered year thereafter, the~~ The
12 political subdivision shall hold the referendum shall be held at the next succeeding
13 ~~spring primary or election or partisan primary or general election~~ authorized under
14 s. 8.065 (2).

15 **SECTION 103.** 66.0619 (2m) (b) of the statutes is amended to read:

16 66.0619 (2m) (b) If a referendum is to be held on a resolution, the municipal
17 governing body shall file the resolution as provided in s. 8.37 and shall direct the
18 municipal clerk to ~~call a special election for the purpose of submitting~~ submit the
19 resolution to the electors for approval or rejection at a referendum ~~on approval or~~
20 ~~rejection. In lieu of a special election, the municipal governing body may specify that~~
21 ~~the election be held at the next succeeding spring primary or election or partisan~~
22 ~~primary or general~~ held at the next election authorized under s. 8.065 (2).

23 **SECTION 104.** 66.0815 (1) (c) of the statutes is amended to read:

24 66.0815 (1) (c) An ordinance under sub. (1) may not take effect until 60 days
25 after passage and publication unless sooner approved by a referendum. Within the

BILL**SECTION 104**

60-day period electors equal in number to ~~20%~~ 20 percent of those voting at the last regular municipal election may file a petition requesting a referendum. The petition shall be in writing and filed with the clerk and as provided in s. 8.37. The petition shall conform to the requirements of s. 8.40. Each signer shall state his or her residence and signatures shall be verified by the affidavit of an elector. The referendum shall be held at ~~the next regular municipal~~ an election, ~~or at a special election within 90 days of the filing of the petition~~ authorized under s. 8.065 (2). The ordinance may not take effect unless approved by a majority of the votes cast. This paragraph does not apply to extensions by a utility previously franchised by the village, city, or town.

SECTION 105. 66.0921 (2) of the statutes is amended to read:

66.0921 (2) FACILITIES AUTHORIZED. A municipality may enter into a joint contract with a nonprofit corporation organized for civic purposes and located in the municipality to construct or otherwise acquire, equip, furnish, operate and maintain a facility to be used for municipal and civic activities if a majority of the voters voting in a referendum at ~~a special election or at a spring primary or election or partisan primary or general~~ an election authorized under s. 8.065 (2) approve the question of entering into the joint contract.

SECTION 106. 66.1103 (10) (d) of the statutes is amended to read:

66.1103 (10) (d) The governing body may issue bonds under this section without submitting the proposition to the electors of the municipality or county for approval unless within 30 days from the date of publication of notice of adoption of the initial resolution for the bonds, a petition conforming to the requirements of s. 8.40, signed by not less than ~~5%~~ 5 percent of the registered electors of the municipality or county, or, if there is no registration of electors in the municipality

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1 or county, by ~~10%~~ 10 percent of the number of electors of the municipality or county
2 voting for the office of governor at the last general election as determined under s.
3 115.01 (13), is filed with the clerk of the municipality or county and as provided in
4 s. 8.37 requesting a referendum upon the question of the issuance of the bonds. If
5 a petition is filed, the bonds may not be issued until approved by a majority of the
6 electors of the municipality or county voting on the referendum at ~~a general or~~
7 ~~special~~ an election authorized under s. 8.065 (2).

8 **SECTION 107.** 66.1113 (2) (g) of the statutes is amended to read:

9 66.1113 (2) (g) The village of Sister Bay may enact an ordinance or adopt a
10 resolution declaring itself to be a premier resort area under par. (a) even if less than
11 40 percent of the equalized assessed value of the taxable property within Sister Bay
12 is used by tourism-related retailers. The village may not impose the tax authorized
13 under par. (b) unless the village board adopts a resolution proclaiming its intent to
14 impose the tax and the resolution is approved by a majority of the electors in the
15 village voting on the resolution at a referendum, to be held at ~~the first spring primary~~
16 ~~or election or partisan primary or general~~ an election following authorized under s.
17 8.065 (2) that follows by at least 70 days the date of adoption of the resolution.

18 **SECTION 108.** 66.1113 (2) (h) of the statutes is amended to read:

19 66.1113 (2) (h) The village of Ephraim may enact an ordinance or adopt a
20 resolution declaring itself to be a premier resort area under par. (a) even if less than
21 40 percent of the equalized assessed value of the taxable property within Ephraim
22 is used by tourism-related retailers. The village may not impose the tax authorized
23 under par. (b) unless the village board adopts a resolution proclaiming its intent to
24 impose the tax and the resolution is approved by a majority of the electors in the
25 village voting on the resolution at a referendum, to be held at ~~the first spring primary~~

BILL**SECTION 108**

1 ~~or election or partisan primary or general~~ an election following authorized under s.
2 8.065 (2) that follows by at least 70 days the date of adoption of the resolution.

3 **SECTION 109.** 67.05 (3) (a) 2. of the statutes is repealed.

4 **SECTION 110.** 67.05 (3) (a) 4. of the statutes is repealed.

5 **SECTION 111.** 67.05 (3) (f) of the statutes is amended to read:

6 67.05 (3) (f) If a special purpose district calls a referendum under this section,
7 the governing body shall call the referendum to be held in conjunction with ~~a state,~~
8 ~~county, municipal or judicial~~ an election, the authorized under s. 8.065 (2). The
9 polling places for the state, county, municipal or judicial election shall be the polling
10 places for the special purpose district referendum and the municipal election hours
11 shall apply. If no state, county, municipal or judicial election is held on the day of the
12 special purpose district referendum, the governing body of the special purpose
13 district may select the polling places to be used, except as otherwise provided in s.
14 120.06 (9) (b) in the case of a school district. If a polling place located in the special
15 purpose district that was utilized at the most recent spring or general election is not
16 utilized by the special purpose district, the governing body of the special purpose
17 district shall post a notice on the door of the polling place indicating all polling places
18 open for voting. The municipal clerk of each municipality in which a polling place
19 is located shall provide the necessary equipment to operate the polling place.

20 **SECTION 112.** 67.05 (4) of the statutes is amended to read:

21 67.05 (4) PERMISSIVE REFERENDUM IN COUNTIES. If a county board adopts an
22 initial resolution for an issue of county bonds to provide for the original construction
23 or for the improvement and maintenance of highways,; to provide railroad aid,; or to
24 construct, acquire, or maintain, or to aid in constructing, acquiring, or maintaining,
25 a bridge over or across any stream or other body of water bordering upon or

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1 intersecting any part of the county, the county clerk is not required to submit the
2 resolution for approval to the electors of the county at a ~~special election~~ referendum
3 unless within 30 days after the adoption thereof there is filed with the clerk a petition
4 conforming to the requirements of s. 8.40 requesting such submission, signed by
5 electors numbering at least ~~10%~~ 10 percent of the votes cast in the county for
6 governor at the last general election. If a petition is filed, the county board shall hold
7 the referendum at an election authorized under s. 8.065 (2), and the question
8 submitted shall be whether the resolution shall be or shall not be approved. No such
9 resolution of a county board other than those specified in this subsection need be
10 submitted to county electors, except as provided otherwise in sub. (7).

11 **SECTION 113.** 67.05 (5) (a) of the statutes is amended to read:

12 67.05 (5) (a) Whenever a town board adopts an initial resolution ~~has been so~~
13 ~~adopted by the governing body of a town, the town clerk of the municipality shall~~
14 immediately record the resolution and shall call a ~~special election~~ referendum for the
15 purpose of submitting the resolution to the electors of the ~~municipality~~ town for
16 approval. ~~This paragraph does not apply to bonds issued to finance low-interest~~
17 ~~mortgage loans under s. 62.237, unless a number of electors equal to at least 15% of~~
18 ~~the votes cast for governor at the last general election in their town sign and file a~~
19 ~~petition conforming to the requirements of s. 8.40 with the town clerk requesting~~
20 ~~submission of the resolution. Whenever a number of electors cannot be determined~~
21 ~~on the basis of reported statistics, the number shall be determined in accordance~~
22 ~~with s. 60.74 (6). If a petition is filed, the question submitted shall be whether the~~
23 ~~resolution shall or shall not be approved or rejection. The referendum shall be held~~
24 at an election authorized under s. 8.065 (2). This paragraph is limited in its scope
25 by sub. (7).

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1 **SECTION 114.** 67.05 (5) (b) of the statutes is renumbered 67.05 (5) (b) 1. and
2 amended to read:

3 67.05 (5) (b) 1. No city or village may issue bonds for any purposes other than
4 for water systems; lighting works; gas works; bridges; street lighting; street
5 improvements; street improvement funding; hospitals; airports; harbor
6 improvements; river improvements; breakwaters and protection piers; sewerage;
7 garbage disposal; rubbish or refuse disposal; any combination of sewage, garbage,
8 or refuse or rubbish disposal; parks and public grounds; swimming pools and band
9 shells; veterans housing projects; paying the municipality's portion of the cost of
10 abolishing grade crossings; for the construction of police facilities and combined fire
11 and police safety buildings; for the purchase of sites for engine houses; for fire
12 engines and other equipment of the fire department; for construction of engine
13 houses; and for pumps, water mains, reservoirs and all other reasonable facilities
14 for fire protection apparatus or equipment for fire protection; for parking lots or
15 other parking facilities; for school purposes; for libraries; for buildings for the
16 housing of machinery and equipment; for acquiring and developing sites for
17 industry and commerce as will expand the municipal tax base; subject to subd. 2.,
18 for financing the cost of low-interest mortgage loans under s. 62.237; for providing
19 financial assistance to blight elimination, slum clearance, community development,
20 redevelopment, and urban renewal programs and projects under ss. 66.1105,
21 66.1301 to 66.1329, and 66.1331 to 66.1337; to issue appropriation bonds under s.
22 62.62 to pay unfunded prior service liability with respect to an employee retirement
23 system; or for University of Wisconsin System college campuses, as defined in s.
24 36.05 (6m), until the proposition for their issue for the special purpose has been
25 submitted to the electors of the city or village and adopted by a majority vote. Except

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1 as provided under sub. (15), if the common council of a city or the village board of a
2 village declares its purpose to raise money by issuing bonds for any purpose other
3 than those specified in this subsection, it shall direct by resolution, which shall be
4 recorded at length in the record of its proceedings, the clerk to call a ~~special election~~
5 referendum for the purpose of submitting the question of bonding to the city or
6 village electors. ~~If~~ The referendum shall be held at an election authorized under s.
7 8.065 (2).

8 2. If the governing body of a municipality, as defined in s. 62.237 (1) (d), adopts
9 an initial resolution to issue bonds for financing the cost of low-interest loans under
10 s. 62.237 and a number of electors of ~~a city or village~~ that municipality equal to at
11 least ~~15%~~ 15 percent of the votes cast for governor at the last general election in ~~their~~
12 ~~city or village~~ that municipality sign and file a petition conforming to the
13 requirements of s. 8.40 with the ~~city or village~~ clerk of that municipality requesting
14 submission of the resolution, ~~the city or village~~ that municipality may not issue
15 bonds for financing the cost of low-interest mortgage loans under s. 62.237 without
16 calling a ~~special election to submit~~ referendum for the purposes of submitting the
17 question of bonding to the ~~city or village~~ electors of that municipality for their
18 approval. The referendum shall be held at an election authorized under s. 8.065 (2).

19 **SECTION 115.** 67.05 (6a) (a) 2. a. of the statutes is amended to read:

20 67.05 (6a) (a) 2. a. Direct the school district clerk to ~~call a special election for~~
21 ~~the purpose of submitting~~ submit the resolution to the electors for approval or
22 rejection, ~~or direct that the resolution be submitted at the next regularly scheduled~~
23 ~~primary or an election to be held~~ authorized under s. 8.065 (2) that occurs not earlier
24 than 45 days after the adoption of the resolution. The resolution shall not be effective
25 unless adopted by a majority of the school district electors voting at the referendum.

BILL**SECTION 116**

1 **SECTION 116.** 67.05 (6m) (b) of the statutes is amended to read:

2 67.05 (6m) (b) If a referendum is to be held on an initial resolution, the district
3 board shall direct the technical college district secretary to ~~call a special election for~~
4 ~~the purpose of submitting~~ submit the initial resolution to the electors for ~~a~~
5 ~~referendum on approval or rejection at an election authorized under s. 8.065 (2).~~ In
6 lieu of a special election, ~~the district board may specify that the election be held at~~
7 ~~the next succeeding spring primary or election or partisan primary or general~~
8 ~~election.~~

9 **SECTION 117.** 67.10 (5) (b) of the statutes is amended to read:

10 67.10 (5) (b) Any city having ~~voted~~ approved the issuance of bonds at a special
11 referendum election held in accordance with s. 8.065 (2) and having sold a portion
12 thereof may negotiate, sell, or otherwise dispose of the same in the manner provided
13 by statute within 9 years of the date of the ~~election voting~~ referendum approving the
14 same.

15 **SECTION 118.** 67.12 (12) (e) 2. of the statutes is amended to read:

16 67.12 (12) (e) 2. Unless the purpose and amount of the borrowing have been
17 approved by the electors under s. 67.05 (6a) or deemed approved by the electors under
18 s. 67.05 (7) (d) 3., the purpose is to refund any outstanding municipal obligation, the
19 purpose is to pay unfunded prior service liability contributions under the Wisconsin
20 retirement system if all of the proceeds of the note will be used for that purpose, the
21 borrowing would not be subject to a referendum as a bond issue under s. 67.05 (7) (cc),
22 (h) or (i), or subd. 2g. or par. (f) or (h) applies, the school district clerk shall, within
23 10 days after a school board adopts a resolution under subd. 1. to issue a promissory
24 note in excess of \$5,000, publish notice of such adoption as a class 1 notice, under ch.
25 985. Alternatively, the notice may be posted as provided under s. 10.05. The notice

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1 need not set forth the full contents of the resolution, but shall state the maximum
2 amount proposed to be borrowed, the purpose thereof, that the resolution was
3 adopted under this subsection, and the place where, and the hours during which, the
4 resolution may be inspected. If, within 30 days after publication or posting, a petition
5 conforming to the requirements of s. 8.40 is filed with the school district clerk for a
6 referendum on the resolution signed by at least 7,500 electors of the district or at
7 least ~~20%~~ 20 percent of the number of district electors voting for governor at the last
8 general election, as determined under s. 115.01 (13), whichever is the lesser, then the
9 resolution shall not be effective unless adopted by a majority of the district electors
10 voting at the referendum. The referendum shall be held at an election authorized
11 under s. 8.065 (2) and called in the manner provided under s. 67.05 (6a), except that
12 the question which appears on the ballot shall be “Shall (name of district) borrow
13 the sum of \$.... for (state purpose) by issuing its general obligation promissory note
14 (or notes) under section 67.12 (12) of the Wisconsin Statutes?”.

15 **SECTION 119.** 67.12 (12) (e) 5. of the statutes is amended to read:

16 67.12 (12) (e) 5. Within 10 days of the adoption by a technical college district
17 board of a resolution under subd. 1. to issue a promissory note for a purpose under
18 s. 38.16 (2), the secretary of the district board shall publish a notice of such adoption
19 as a class 1 notice, under ch. 985. The notice need not set forth the full contents of
20 the resolution, but shall state the amount proposed to be borrowed, the method of
21 borrowing, the purpose thereof, that the resolution was adopted under this
22 subsection and the place where and the hours during which the resolution is
23 available for public inspection. If the amount proposed to be borrowed is for building
24 remodeling or improvement and does not exceed \$1,500,000 or is for movable
25 equipment, the district board need not submit the resolution to the electors for

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1 approval unless, within 30 days after the publication or posting, a petition
2 conforming to the requirements of s. 8.40 is filed with the secretary of the district
3 board requesting a referendum ~~at a special election to be called for that purpose.~~
4 Such petition shall be signed by electors from each county lying wholly or partially
5 within the district. The number of electors from each county shall equal at least ~~1.5%~~
6 1.5 percent of the population of the county as determined under s. 16.96 (2) (c). If a
7 county lies in more than one district, the technical college system board shall
8 apportion the county's population as determined under s. 16.96 (2) (c) to the districts
9 involved and the petition shall be signed by electors equal to the appropriate
10 percentage of the apportioned population. ~~In lieu of a special election, the~~ The
11 ~~district board may specify that~~ shall hold the referendum ~~shall be held at the next~~
12 ~~succeeding spring primary or election or partisan primary or general~~ an election
13 authorized under s. 8.065 (2). Any resolution to borrow amounts of money in excess
14 of \$1,500,000 for building remodeling or improvement shall be submitted to the
15 electors of the district for approval. If a referendum is held or required under this
16 subdivision, no promissory note may be issued until the issuance is approved by a
17 majority of the district electors voting at such referendum. The referendum shall be
18 noticed, called, and conducted under s. 67.05 (6a) insofar as applicable, except that
19 ~~the notice of special election and ballot need not embody a copy of the resolution and~~
20 ~~the question which shall appear on the ballot shall be "Shall (name of district) be~~
21 ~~authorized to borrow the sum of \$.... for (state purpose) by issuing its general~~
22 ~~obligation promissory note (or notes) under section 67.12 (12) of the Wisconsin~~
23 ~~Statutes?"~~

24 **SECTION 120.** 82.03 (2) (b) of the statutes is amended to read:

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1 82.03 (2) (b) The town board, by resolution, submits to the electors of the town
2 as a referendum at ~~a general or special town~~ an election authorized under s. 8.065
3 (2) the question of exceeding the limit set under this subsection. A copy of the
4 resolution shall be filed as provided in s. 8.37. The board shall abide by the majority
5 vote of the electors of the town on the question. The question shall read as follows:

6 Shall the town of spend up to \$.... over, which is the annual limit of the
7 product of \$5,000 multiplied by the miles of highway under the jurisdiction of the
8 town measured by the most recent highway mileage for the town, as determined
9 under section 86.302 of the Wisconsin Statutes, for the construction, maintenance,
10 and repair of its highways and bridges?

11 FOR SPENDING ☐ AGAINST SPENDING ☐

12 **SECTION 121.** 86.21 (2) (a) of the statutes is amended to read:

13 86.21 (2) (a) Before any such toll bridge is constructed or acquired under this
14 section, a resolution authorizing the construction or acquisition thereof, and
15 specifying the method of payment therefor, shall be adopted by a majority of the
16 members of the governing body of such county, town, village, or city at a regular
17 meeting, after publication of said resolution, as a class 2 notice, under ch. 985. The
18 resolution shall include a general description of the property it is proposed to acquire
19 or construct. Any county, town, village, or city constructing or acquiring a toll bridge
20 under this section may provide for the payment of the same or any part thereof from
21 the general fund, from taxation, or from the proceeds of either municipal bonds, or
22 revenue bonds or as otherwise provided by law. Such resolution shall not be effective
23 until 15 days after its passage and publication. If, within said 15 days, a petition
24 conforming to the requirements of s. 8.40 ~~is filed with the clerk of such municipality,~~
25 ~~and filed as provided in s. 8.37,~~ signed by at least ~~20%~~ 20 percent of the electors

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1 ~~thereof of the municipality, and~~ requesting that the question of acquiring such toll
2 bridge be submitted to the ~~said~~ electors, ~~such~~ is filed with the clerk of the
3 municipality as provided in s. 8.37, the question shall be submitted at the next
4 ~~general or regular municipal~~ election authorized under s. 8.065 (2) that is held not
5 sooner than 70 days from the date of filing such petition. The question submitted to
6 the electors shall specify the method of payment for such toll bridge as provided in
7 the resolution for the acquisition thereof. If no such petition is filed, or if the majority
8 of votes cast at such referendum election are in favor of the acquisition of such toll
9 bridge, then the resolution of the governing body for the acquisition of such toll
10 bridge shall be in effect.

11 **SECTION 122.** 92.11 (4) (c) of the statutes is amended to read:

12 92.11 (4) (c) *Wording of ballot question; procedure.* The county board shall
13 include the wording of the question to be placed before the electors in the referendum
14 as a part of the ordinance adopted under this section or the revision to an ordinance
15 adopted under this section. Upon the adoption of the ordinance or revision the county
16 board shall forward a copy of the ordinance or revision to the county clerk who shall
17 cause the question to be placed before the voters of the affected area in the next
18 ~~spring or general~~ election ~~occurring~~ authorized under s. 8.065 (2) that occurs not less
19 than 70 days after the adoption of the ordinance or revision. The form of the ballot
20 shall correspond substantially to the form prescribed under s. 5.64 (2).

21 **SECTION 123.** 117.20 (2) of the statutes is amended to read:

22 117.20 (2) The clerk of each affected school district shall publish notice, as
23 required under s. 8.55 10.06 (4), in the territory of that school district. The
24 procedures for school board elections under s. 120.06 (9), (11), (13), and (14) apply to
25 a referendum held under this section. The school board and school district clerk of

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1 each affected school district shall each perform, for that school district, the functions
2 assigned to the school board and the school district clerk, respectively, under those
3 subsections. The form of the ballot shall correspond to the form prescribed by the
4 government accountability board under ss. 5.64 (2) and 7.08 (1) (a). The clerk of each
5 affected school district shall file with the secretary of the board a certified statement
6 prepared by the school district board of canvassers of the results of the referendum
7 in that school district.

8 **SECTION 124.** 119.48 (4) (b) of the statutes is amended to read:

9 119.48 (4) (b) The communication shall state the purposes for which the funds
10 from the increase in the levy rate will be used and shall request the common council
11 to submit to the voters of the city the question of exceeding the levy rate specified in
12 s. 65.07 (1) (f) ~~at the September election or a special~~ an election authorized under s.
13 8.065 (2).

14 **SECTION 125.** 119.48 (4) (c) of the statutes is amended to read:

15 119.48 (4) (c) Upon receipt of the communication, the common council shall file
16 the communication as provided in s. 8.37 and shall cause the question of exceeding
17 the levy rate specified under s. 65.07 (1) (f) to be submitted to the voters of the city
18 ~~at the September election or at a special~~ an election authorized under s. 8.065 (2).
19 The question of exceeding the levy rate specified under s. 65.07 (1) (f) shall be
20 submitted so that the vote upon exceeding the levy rate specified in s. 65.07 (1) (f) is
21 taken separately from any other question submitted to the voters. If a majority of
22 the electors voting on the question favors exceeding the levy rate specified under s.
23 65.07 (1) (f), the common council shall approve the increase in the levy rate and shall
24 levy and collect a tax equal to the amount of money approved by the electors.

25 **SECTION 126.** 119.49 (1) (b) of the statutes is amended to read:

BILL**SECTION 126**

1 119.49 (1) (b) The communication shall state the amount of funds needed under
2 par. (a) and the purposes for which the funds will be used and shall request the
3 common council to submit to the voters of the city at the next election ~~held in the city~~
4 authorized under s. 8.065 (2) the question of issuing school bonds in the amount and
5 for the purposes stated in the communication.

6 **SECTION 127.** 119.49 (2) of the statutes is amended to read:

7 119.49 (2) Upon receipt of the communication, the common council shall file the
8 communication as provided in s. 8.37 and shall cause the question of issuing such
9 school bonds in the stated amount and for the stated school purposes to be submitted
10 to the voters of the city at the next election ~~held in the city~~ authorized under s. 8.065
11 (2). The question of issuing such school bonds shall be submitted so that the vote
12 upon issuing such school bonds is taken separately from any other question
13 submitted to the voters. If a majority of the electors voting on the school bond
14 question favors issuing such school bonds, the common council shall cause the school
15 bonds to be issued immediately or within the period permitted by law, in the amount
16 requested by the board and in the manner other bonds are issued.

17 **SECTION 128.** 120.13 (intro.) of the statutes is amended to read:

18 **120.13 School board powers.** (intro.) ~~The~~ Subject to the prohibitions on
19 publishing or disseminating information related to or promoting a referendum under
20 s. 121.91 (3) (a), the school board of a common or union high school district may do
21 all things reasonable to promote the cause of education, including establishing,
22 providing, and improving school district programs, functions, and activities for the
23 benefit of pupils, and including all of the following:

24 **SECTION 129.** 121.91 (3) (a) of the statutes is amended to read:

BILL

1 121.91 (3) (a) If a school board wishes to exceed the limit under sub. (2m)
2 otherwise applicable to the school district in any school year, it shall promptly adopt
3 a resolution supporting inclusion in the final school district budget of an amount
4 equal to the proposed excess revenue. The resolution shall specify whether the
5 proposed excess revenue is for a recurring or nonrecurring purpose, or, if the
6 proposed excess revenue is for both recurring and nonrecurring purposes, the
7 amount of the proposed excess revenue for each purpose. The resolution shall be filed
8 as provided in s. 8.37. Within 10 days after adopting the resolution, the school board
9 shall submit a copy of the resolution to the department and shall notify the
10 department of the scheduled date of the referendum ~~and submit a copy of the~~
11 ~~resolution to the department. The school board shall call a special referendum to be~~
12 called for the purpose of submitting the resolution to the electors of the school district
13 for approval or rejection. ~~In lieu of a special referendum, the school board may~~
14 ~~specify that the~~ The referendum shall be held at the next succeeding spring primary
15 ~~or election or partisan primary or general election, if such election is to be held~~
16 authorized under s. 8.065 (2) that occurs not sooner than 70 days after the filing of
17 the resolution of the school board. The school board may not expend any revenue to
18 publish or disseminate information related to or promote any referendum held under
19 this paragraph. The school district clerk shall certify the results of the referendum
20 to the department within 10 days after the referendum is held.

21 **SECTION 130.** 197.04 (1) (b) of the statutes is amended to read:

22 197.04 (1) (b) If within either of the 90-day periods described in par. (a) a
23 petition conforming to the requirements of s. 8.40 is filed with the clerk of the
24 municipality as provided in s. 8.37 and the petition has been signed by ~~5%~~ 5 percent
25 of the electors of a 1st class city or by ~~10%~~ 10 percent of the electors of all other

BILL**SECTION 130**

1 municipalities requesting that the question of discontinuing the proceeding to
2 acquire the plant or equipment of the public utility be submitted to the electors of the
3 municipality, the applicable question under par. (c) shall be submitted to the electors
4 at ~~any general or regular municipal~~ an election authorized under s. 8.065 (2) that is
5 held not less than 70 ~~and not more than 75~~ days from the date of the filing of the
6 petition. ~~If no general election or regular municipal election is to be held within the~~
7 ~~stated periods, the governing body of the municipality shall order the holding of a~~
8 ~~special election, to be held not less than 70 days from the date of filing of the petition,~~
9 ~~for the purpose of submitting the question to the electors.~~

10 **SECTION 131.** 197.04 (2) of the statutes is amended to read:

11 197.04 (2) The governing body of the municipality may provide for notice of,
12 the manner of holding, the method of voting on, the method of making returns of, and
13 the method of canvassing and determining the result of, the election required under
14 sub. (1). Notice of the election to the electors shall be given by a brief notice of that
15 fact once a week for 3 weeks in some newspaper of general circulation published in
16 the municipality. If no newspaper of general circulation is published in the
17 municipality, publication may be made in any newspaper of general circulation in the
18 county seat of the county in which the municipality is located. ~~The notice of holding~~
19 ~~any special election shall be incorporated as a part of the notice given under this~~
20 ~~subsection.~~

21 **SECTION 132.** 197.10 (2) of the statutes is amended to read:

22 197.10 (2) Such contract when adopted by the common council of said city and
23 accepted by the owner or owners of such public utility shall be submitted to the public
24 service commission for its approval and upon such approval the same shall be filed
25 as provided in s. 8.37 and submitted in such manner as the common council shall

BILL

1 determine to a vote of the electors of such city at the next ~~regular municipal~~ election
2 ~~or at a special election called for that purpose~~ authorized under s. 8.065 (2), and such
3 contract shall not become binding upon such city until approved by a majority vote
4 of the qualified electors of such city voting thereon. No bonds shall in any case be
5 issued by said city under the contract or contracts mentioned in sub. (1), until the
6 proposition of their issue shall have been submitted to the people of such city and
7 adopted by a majority of the electors voting thereon.

8 **SECTION 133.** 198.19 (1) of the statutes is amended to read:

9 198.19 (1) Any territory, constituting one or more municipalities contiguous to
10 a district, may be annexed to and become a part of such district to all intents and
11 purposes and with like effect as though originally included therein upon such terms
12 and conditions as the board of directors of the district shall fix by ordinance adopted
13 by the affirmative vote of two-thirds of the directors-elect, provided that before such
14 ordinance becomes effective the same shall be accepted and ratified by the
15 affirmative vote of a majority of the qualified electors entitled to vote and voting in
16 a ~~special election~~ referendum called and held for that purpose, at an election
17 authorized under s. 8.065 (2), in each municipality proposed in such ordinance to be
18 annexed to the district. Such ordinance shall be published and such election shall
19 be noticed, held, and conducted, as nearly as may be, in the manner provided by this
20 chapter for the noticing, holding, and conduct of elections upon the organization of
21 a municipal power district, except that the returns of such election and the ballots
22 therein shall be delivered to the clerk of the district. The results of said election shall
23 be canvassed publicly by the directors of the district.

24 **SECTION 134. Initial applicability.**

BILL**SECTION 134**

1 (1) The treatment of section 5.02 (6m) (g) of the statutes first applies with
2 respect to voting at the first election to be held following the effective date of this
3 subsection for which declarations of candidacy are due for filing on or after the
4 effective date of this subsection.

5 (2) The treatment of sections 5.02 (19), 7.15 (2) (d), 7.52 (8), 8.05 (3) (d) and (e),
6 8.06, 8.065, 9.20 (4), 24.66 (3) (b) and (4), 32.72 (1), 38.15 (1), 38.16 (3) (br) 1., 59.08
7 (7) (b), 59.605 (3) (a) 1., 60.62 (2), 60.74 (5) (b), 61.187 (1), 61.46 (1), 62.09 (1) (a), 62.13
8 (6) (b), 64.03 (1), 64.39 (3), 66.0101 (8), 66.0211 (1), 66.0213 (6), 66.0215 (2), 66.0217
9 (3) (b) and (7) (a) 3. and (d), 66.0219 (4) (b), 66.0225 (2), 66.0227 (3), 66.0305 (6) (b),
10 66.0307 (4) (e) 2., 66.0602 (4) (a), 66.0619 (2m) (b), 66.0815 (1) (c), 66.0921 (2), 66.1103
11 (10) (d), 66.1113 (2) (g) and (h), 67.05 (3) (a) 2. and 4. and (f), (4), (5) (a) and (b), (6a)
12 (a) 2. a., and (6m) (b), 67.10 (5) (b), 67.12 (12) (e) 2. and 5., 82.03 (2) (b), 86.21 (2) (a),
13 92.11 (4) (c), 117.20 (2), 119.48 (4) (b) and (c), 119.49 (1) (b) and (2), 121.91 (3) (a) (as
14 it relates to the scheduling of referendums), 197.04 (1) (b) and (2), 197.10 (2), and
15 198.19 (1) of the statutes first applies to a referendum called or scheduled on the
16 effective date of this subsection.

17 (3) The treatment of section 5.052 (3) (a) to (e) of the statutes first applies to
18 nominations to the government accountability board submitted under section 5.052
19 (3) of the statutes on the effective date of this subsection.

20 (4) The treatment of section 5.15 (6) (b) of the statutes first applies with respect
21 to reporting of election returns for elections held on the effective date of this
22 subsection.

23 (5) The treatment of sections 5.90 (1) and 9.01 (1) (ag) 1m. of the statutes first
24 applies with respect to petitions for recounts at elections held after the effective date
25 of this subsection.

BILL

(6) The treatment of sections 6.79 (2) (a) and (3) (c), 6.82 (1) (a) (as it relates to the exemption of certain electors from the requirement to present proof of identification), 7.08 (1) (c), and 7.51 (2) (cm) of the statutes first applies with respect to proof of identification required for elections held on the 60th day beginning after the effective date of this subsection.

(7) The treatment of section 6.86 (1) (b) and (bb) of the statutes first applies to elections held no earlier than 60 days after the effective date of this subsection.

(8) The treatment of sections 8.50 (intro.), (1) (a) and (c), (2) (a), and (4) (bm) and (f) 1. and 2., 17.02 (1), and 17.18 of the statutes first applies with respect to special elections held to fill vacancies occurring on the effective date of this subsection.

(9) The treatment of section 11.01 (16) (intro.) and (b) 1. of the statutes first applies with respect to communications made on the effective date of this subsection.

(10) Except as provided in subsections (1) to (9), this act first applies with respect to voting at elections held on the effective date of this subsection.

(END)

3A:1

- 6678/5

Corporations, cooperatives, and other entities; limited political activity

Under current law, corporations and cooperatives are prohibited from making contributions or disbursements (expenditures) in campaigns for state or local office. Violators are subject to a forfeiture (civil penalty) of not more than \$500 for each violation. Intentional violators are guilty of a Class I felony, which is punishable by a fine of not more than \$10,000 or imprisonment for not more than three and one-half years, or both, except that if a violation involves \$100 or less, the violation is punishable as a misdemeanor with a fine of not more than \$1,000 or imprisonment for not more than six months, or both. A recent decision of the U.S. Supreme Court casts doubt upon whether this law is enforceable as it applies to disbursements. See *Citizens United v. F.E.C.*, 130 S. Ct. 876 (2010). Current law also provides that if an individual other than a candidate or an organization that is not organized primarily for political purposes does not engage in express advocacy with respect to a clearly identified candidate or referendum question and does not make any contributions, the individual or entity is exempt from registration and reporting requirements.

organization

3A:2

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BILL

makes
This bill deletes the current prohibition on disbursements by corporations and cooperatives. The bill permits a corporation, cooperative, or other entity that is not organized exclusively for political purposes to make independent disbursements *disbursements* ~~or sponsor independent expenditures~~. Under the bill, a corporation, cooperative, or other entity that ~~sponsors independent expenditures~~ is not subject to periodic reporting requirements on account of such activity. However, a corporation, cooperative, or other entity that ~~sponsors independent expenditures~~ in an amount or value exceeding \$750 in the aggregate within a calendar year must register with the appropriate filing officer, file reports concerning the independent ~~expenditures~~, and include an attribution on communications financed by the ~~expenditures~~. The bill also permits corporations and cooperatives to ~~to~~ make contributions to committees that make disbursements independently of any candidate or authorized committee or agent of a candidate. Under the bill, no such committee may make a contribution to a candidate. The bill provides that corporations and cooperatives that make such contributions are not subject to periodic reporting requirements for that activity, including disclosure of sources of income, except with respect to any contribution that is received for the express purpose of making those contributions, but any committee that receives such a contribution is subject to registration and periodic reporting requirements, as currently provided for such committees. *disbursements*
makes *disbursements* *disbursements*

37-14

Per JTK
do not insert.
Text is the
same as -1763/2.

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SECTION 4

BILL

1 11.01 (11g) "Independent disbursement" means a disbursement to make a
2 communication that expressly advocates the election or defeat of a clearly identified
3 candidate, that is made without cooperation or consultation with a candidate, or any
4 authorized committee or agent of a candidate, and that is not made in concert with,
5 or at the request or suggestion of, any candidate, or any authorized committee or
6 agent of a candidate.

7 (11r) "Independent disbursement committee" means a committee that makes
8 no disbursements other than independent disbursements and disbursements made
9 for the administrative support of the committee.

10

40-10

~~-0078/5~~

SECTION 15. 11.05 (11g) of the statutes is created to read:

11.05 (11g) LIMITED POLITICAL ACTIVITY EXEMPT. (a) An individual other than a candidate, or a corporation, association, or other entity not organized exclusively for political purposes, that makes one or more independent disbursements is subject to a reporting requirement under this section only with respect to independent disbursements that the individual or entity makes and the contributions it receives specifically for the purpose of making independent disbursements.

(b) If a corporation, association, or other entity makes no contributions or disbursements other than to or on behalf of one or more independent disbursement committees and receives no contributions or other income for the express purpose of making independent disbursements, the corporation, association, or other entity is not subject to a registration requirement under this section.

41-3

~~6078/5~~

11 **SECTION 26.** 11.06 (1g) of the statutes is created to read:

12 **11.06 (1g) LIMITED POLITICAL ACTIVITY EXEMPT.** An individual other than a
13 candidate, or a corporation, association, or other entity not organized exclusively for
14 political purposes, that makes one or more independent disbursements is subject to
15 a reporting requirement under this section only with respect to independent
16 disbursements that the individual or entity makes and the contributions it receives
17 specifically for the purpose of making independent disbursements.

43-3:1

0078/5

14 **SECTION 56.** 11.38 (title) and (1) (a) 1. of the statutes are amended to read:

15 **11.38 (title) Contributions and disbursements by corporations and**
16 **cooperatives, certain associations, and other entities.** (1) (a) 1. No foreign or
17 domestic corporation, or association organized under ch. 185 or 193, may make any
18 contribution ~~or disbursement~~, directly or indirectly, ~~either independently or through~~
19 ~~any political party, committee, group, candidate or individual for any purpose other~~
20 ~~than to promote or defeat a referendum~~ except to an individual or group for the
21 purpose of advocating the adoption or rejection of a referendum question or to an
22 independent disbursement committee.

23 ~~**SECTION 57.** 11.38 (1) (a) 3. of the statutes is repealed~~

24 **SECTION 58.** 11.38 (1) (a) 4. to 7. of the statutes are created to read:

BILL

43-3:2

1 11.38 (1) (a) 4. Any foreign or domestic corporation, association organized
2 under ch. 185 or 193, or other entity that is not organized exclusively for political
3 purposes may ~~sponsor~~ ^{make} an independent ~~expenditure~~ ^{disbursement}. A corporation, association, or
4 other entity that ~~sponsors~~ ^{makes} an independent ~~expenditure~~ ^{disbursement} is not subject to a reporting
5 requirement under s. 11.06 (1) on account of such activity.

6 5. A corporation, association, or other entity that ~~sponsors~~ ^{makes} one or more
7 independent expenditures in a total amount or value exceeding \$750 in the
8 aggregate during a calendar year shall file a registration statement with the
9 appropriate filing officer before ~~sponsoring~~ ^{making} any independent ~~expenditure~~ ^{disbursement} or
10 ~~expenditures~~ ^{disbursements} exceeding that amount or value. The corporation, association, or other
11 entity shall also file an oath prescribed by the board affirming its independence from
12 any candidate or candidate's agent or authorized committee. The registration
13 statement shall be filed on a form prescribed by the board, which shall include the
14 name and mailing address of the corporation, association, or other entity, the identity
15 of the custodian of records for the corporation, association, or other entity and the
16 address where the records are kept, and the name and address of a financial
17 institution at which the corporation, association, or other entity has established an
18 account and from which the entity makes the independent ~~expenditures~~ ^{disbursements}.

19 6. A corporation, association, or other entity that ~~sponsors~~ ^{makes} one or more
20 independent ~~expenditures~~ ^{disbursements} shall file reports with the appropriate filing officer
21 showing the amount of each independent ~~expenditure~~ ^{disbursement}, the date on which it is made,
22 and the name of the candidate or candidates on whose behalf or in opposition to
23 whom the ~~expenditure~~ ^{disbursement} is made, indicating whether the purpose is support or
24 opposition. Except during the ~~time~~ ^{period} specified in s. 11.12 (6), the reports shall
25 be filed within 72 hours after the independent ~~expenditure~~ ^{disbursement} is ~~disseminated~~ ^{made} to the

43-3:3

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1 general public. During the ~~time~~^{period} specified in s. 11.12 (6), the reports shall be
 2 filed within 24 hours after the independent ~~expenditure~~^{disbursement} is ~~disseminated~~^{made} to the
 3 general public. The reports shall include the identity of any donor to the corporation,

4 association, or other entity who made a donation specifically in support of any
 5 independent ~~expenditure~~^{disbursement}

6 7. A corporation, association, or other entity that ~~sponsors~~^{makes} one or more
 7 independent ~~expenditures~~^{disbursements} shall include in each communication an oral or written
 8 attribution identifying the ~~sponsor~~^{corporation, association, or entity} with the words "Paid for by" followed by the name
 9 of the ~~sponsor~~^{corporation, association, or entity} and the words "Not authorized by any candidate or political party or
 10 their respective agents." End insert

11 **SECTION 59.** 11.38 (1) (b) of the statutes is amended to read:

12 11.38 (1) (b) No political party, committee, group, candidate or individual may
 13 accept any contribution or ~~disbursement~~ made to or on behalf of such individual or
 14 entity which is prohibited by this section.

15 **SECTION 60.** 11.38 (2) (c) of the statutes is repealed.

16 **SECTION 61.** 11.38 (8) (b) of the statutes is amended to read:

17 11.38 (8) (b) Except as authorized in s. 11.05 (11g), (12) (b) and (13), prior to
 18 making any disbursement exceeding the amount specified under s. 11.23 (1) on
 19 behalf of a political group which is promoting or opposing a particular vote at a
 20 referendum and prior to accepting any contribution or making any disbursement
 21 exceeding that amount to promote or oppose a particular vote at a referendum, a
 22 corporation or association organized under ch. 185 or 193 that becomes subject to a
 23 registration requirement under s. 11.23 (1) shall register with the appropriate filing
 24 officer specified in s. 11.02 and appoint a treasurer. The registration form of the
 25 corporation or association under s. 11.05 shall designate an account separate from

INSERT 45-5

Keep

43-3:4
45-5

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1 all other corporation or association accounts as a campaign depository account,
2 through which all moneys received or expended for the adoption or rejection of the
3 referendum shall pass. The corporation or association shall file periodic reports
4 under s. 11.20 providing the information required under s. 11.06 (1) except as
5 authorized in s. 11.06 (1g).

Rose, Stefanie

From: Zuleger, Chad
Sent: Tuesday, May 28, 2013 4:09 PM
To: LRB.Legal
Subject: Draft Review: LRB -1763/3 Topic: Elections and campaign finance - various changes

RUSH Please Jacket LRB -1763/3 for the ASSEMBLY.

Thank you.
Chad

Chad Zuleger
Office of State Representative Kathy Bernier
68th Assembly District
(608) 266-9172